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SEC

SERVICE DATE - LATE RELEASE
SURFACE TRANSPORTATION BOARD¹

DECISION

No. 41264

DELTA INTERNATIONAL MACHINERY CORP.--PETITION FOR DECLARATORY
ORDER--CERTAIN RATES AND PRACTICES OF JONES TRUCK LINES, INC.

Decided: November 4, 1996

This matter is before the Board on court referral in File No. 93-2566, from the United States District Court for the Western District of Tennessee.

By letter filed October 30, 1996, defendant advised the Board that the underlying court proceeding has been dismissed with prejudice. Defendant submitted a copy of the referring court's April 5, 1996, order dismissing the underlying court proceeding. Defendant requests that the Board dismiss this proceeding. The request will be granted.

It is ordered:

1. This proceeding is dismissed.
2. This decision is effective on the service date.
3. A copy of this decision will be mailed to:

The Honorable Jon P. McCalla
United States District Court for the
Western District of Tennessee
907 Federal Building
Memphis, TN 38103

Re: File No. 93-256

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary

¹ On December 29, 1995, the President signed the ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (ICC Termination Act or the Act). Effective January 1, 1996, the Act abolished the Interstate Commerce Commission (ICC) and transferred various ICC functions to a newly created Surface Transportation Board (Board), including the resolution of issues in motor carrier undercharge proceedings, 49 U.S.C. 13709-13711.